

In the United States District Court
for the District of South Carolina

United States of America

v.

JOSE SERRANO

) Criminal No.: 4:07 - 1045
)
)
)
)

Consent to Transfer of Case
for Plea and Sentence
(Under Rule 20)

I, Jose Serrano, defendant, have been informed that an Indictment is pending against me in the above designated case. I wish to plead guilty to the offense charged, to consent to the disposition of the case in the District of Delaware in which I reside and to waive trial in the District of South Carolina.

Dated: June 23, 2008 at Dillon, S.C.

Joe S.
(Defendant)

Jeffrey T. Joy FBI
(Witness)

John C. Brophy
(Counsel for Defendant)

Approved

John F. Coughlin
United States Attorney for the
District of Delaware

A. B. H.
United States Attorney for the
District of South Carolina

A TRUE COPY

Attest: Larry W. Propes

FORM USA-153

SEP 82

By: Dick Angelhart
DEPUTY CLERK

CLOSED, CUSTODY

U.S. District Court
District of South Carolina (Florence)
CRIMINAL DOCKET FOR CASE #: 4:07-cr-01045-TLW-2
Internal Use Only

Case title: USA v. Williamson et.al.

Date Filed: 08/28/2007

Date Terminated: 07/02/2008

Assigned to: Honorable Terry L Wooten

Defendant (2)**Jose Serrano**

TERMINATED: 07/02/2008

represented by **James Thomas McBratney, Jr**
McBratney Law Firm
PO Box 3890
Florence, SC 29502-3890
843-662-8155
Email: mcbratneylawfirm@sc.rr.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

James P Rogers

Federal Public Defender's Office
1901 Assembly Street
Suite 200
Columbia, SC 29201
803-765-5070
Email: james Rogers@fd.org
TERMINATED: 03/07/2008
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Public Defender or
Community Defender Appointment

Pending Counts

None

Highest Offense Level (Opening)

None

Disposition**A TRUE COPY**

Attest: Larry W. Propes

By: *Larry W. Propes*
DEPUTY CLERK

Terminated Counts

21:846 CONSPIRACY TO
 DISTRIBUTE NARCOTICS possess
 with intent to distribute and to distribute
 5 kilograms or more of cocaine, a
 Schedule II controlled substance, in
 violation of 21:841(a)(1) and
 841(b)(1)(A); Forfeiture allegations
 (1)

Disposition

Consent to transfer case for plea and
 sentence under Rule 20

Highest Offense Level (Terminated)

Felony

Complaints

None

DispositionPlaintiff

USA

represented by **A Bradley Parham**
 US Attorneys Office
 PO Box 1567
 Florence, SC 29503
 843-665-6688
 Fax: 843-678-8809
 Email: brad.parham@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/28/2007	# 1	SEALED ORDER to seal case. Signed by Judge Thomas E Rogers III on 8/28/07.(mcam) (Entered: 08/29/2007)
08/28/2007	# 2	SEALED INDICTMENT with forfeiture allegations (Sealed Grand Jury Ballot attached) as to John Williamson (1) count 1 and Jose Serrano (2) count 1. (Attachments: # 1 Grand Jury Ballot) (mcam) (Entered: 08/29/2007)
08/28/2007	# 3	(Court only) SEALED INDICTMENT with forfeiture allegations - Private Entry (Sealed Grand Jury Ballot attached) as to John Williamson and Jose Serrano. (Attachments: # 1 Grand Jury Ballot) (mcam) (Entered: 08/29/2007)
08/28/2007	# 5	(Court only) REDACTED INDICTMENT - Private Entry as to Jose Serrano. (Attachments: # 1 Grand Jury Ballot) (mcam) (Entered: 08/29/2007)

08/28/2007	<u>6</u>	PENALTY SHEET as to John Williamson and Jose Serrano (mcam) (Entered: 08/29/2007)
08/28/2007	<u>8</u>	(Court only) CRIMINAL COVER SHEET as to Jose Serrano (mcam) (Entered: 08/29/2007)
08/28/2007	<u>11</u>	ORDER FOR ISSUANCE OF BENCH WARRANT as to Jose Serrano. Signed by Judge Thomas E Rogers III on 8/28/07.(mcam) (Entered: 08/29/2007)
08/28/2007	<u>12</u>	BENCH Warrant Issued (Restricted Access) in case as to Jose Serrano. (mcam) (Entered: 08/29/2007)
11/16/2007	<u>21</u>	Arrest of Jose Serrano in District of Delaware Wilmington. (tsin,) (Entered: 12/03/2007)
12/03/2007	<u>27</u>	Rule 5c3 Documents Received as to Jose Serrano (tsin,) (Entered: 12/03/2007)
12/11/2007	<u>32</u>	NOTICE OF HEARING as to Jose Serrano - Arraignment set for 12/12/2007 02:30 PM in Florence #3, McMillan Federal Bldg., 401 W. Evans St., Florence before Magistrate Judge Robert L Buchanan Jr. (tsin,) (Entered: 12/11/2007)
12/12/2007	<u>33</u>	(Court only) ***Location start LC as to Jose Serrano (tsin,) (Entered: 12/12/2007)
12/12/2007	<u>33</u>	ORAL MOTION to Unseal Case by USA as to Jose Serrano. (tsin,) (Entered: 12/12/2007)
12/12/2007	<u>34</u>	ORAL ORDER granting 33 Motion to Unseal Case as to Jose Serrano (2). Signed by Magistrate Judge Robert L Buchanan, Jr on 12/12/07.(tsin,) (Entered: 12/12/2007)
12/12/2007	<u>35</u>	Minute Entry for proceedings held before Magistrate Judge Robert L Buchanan, Jr: Arraignment as to Jose Serrano (2) Count 1 held on 12/12/2007. Defendant present in custody without counsel. Court appoints Federal Defender and Mike Meetze present. Oral motion to unseal granted. Not guilty plea entered. Defendant waives detention hearing. Brad Parham present for USA. Court Reporter Vince Rolland. (tsin,) (Entered: 12/12/2007)
12/12/2007	<u>36</u>	CJA 23 Financial Affidavit (Restricted Access) by Jose Serrano (tsin,) (Entered: 12/13/2007)
12/12/2007	<u>37</u>	ORDER APPOINTING FEDERAL PUBLIC DEFENDER as to Jose Serrano James P Rogers for Jose Serrano appointed. Signed by Magistrate Judge Robert L Buchanan, Jr on 12/12/07.(tsin,) (Entered: 12/13/2007)
12/12/2007	<u>38</u>	Not Guilty PLEA ENTERED as to Jose Serrano (tsin,) (Entered: 12/13/2007)

12/12/2007	<u>39</u>	ORDER OF DETENTION as to Jose Serrano - defendant waives hearing. Signed by Magistrate Judge Robert L Buchanan, Jr on 12/12/07.(tsin,) (Entered: 12/13/2007)
12/13/2007	<u>42</u>	Case Assigned as to Jose Serrano to Judge Honorable Terry L Wooten. (ydav,) (Entered: 12/13/2007)
12/14/2007	<u>43</u>	MOTION for Discovery / <i>Reciprocal</i> by USA as to Jose Serrano. Proposed Order sent to Judge Chambers email address? No. (Parham, A) (Entered: 12/14/2007)
01/18/2008	<u>55</u>	NOTICE OF HEARING as to John Williamson, Jose Serrano Pretrial Conference set for 1/31/2008 10:30 AM in Florence #3, McMillan Federal Bldg., 401 W. Evans St., Florence before Magistrate Judge Thomas E Rogers III. GUILTY PLEAS will be held Monday, February 4, 2008 beginning at 9:30 AM in Florence #1, McMillan Federal Bldg., 401 W Evans Street, Florence SC before the Hon. Terry L. Wooten, United States District Judge. JURY SELECTION will be held on Wednesday, February 6, 2008 at 10:00 AM before the Hon. Terry L. Wooten, United States District Judge in Florence #1, McMillan Federal Bldg., 401 W Evans Street, Florence, SC(swel,) (Entered: 01/18/2008)
01/23/2008	<u>56</u>	PROTECTIVE ORDER as to John Williamson, Jose Serrano. Signed by Honorable Terry L Wooten on 1/17/2008.(amil,) (Entered: 01/23/2008)
01/31/2008	<u>61</u>	Minute Entry for proceedings held before Magistrate Judge Thomas E Rogers, III: Pretrial Conference as to Jose Serrano held on 1/31/2008: defendant requests continuance and waives speedy trial. Court Reporter Vince Rolland. (amil,) (Entered: 02/01/2008)
02/01/2008	<u>63</u>	ORDER TO CONTINUE - Ends of Justice as to Jose Serrano Time excluded from 2/6/2008 until 3/5/2008.. Signed by Magistrate Judge Thomas E Rogers, III on 1/31/2008.(amil,) (Entered: 02/01/2008)
02/11/2008	<u>65</u>	INTERVIEW ORDER as to Jose Serrano directing U.S. Marshal to relinquish temporary custody of defendant to Special Agents/Task Force Officers of FBI and that entry on docket be sealed. Signed by Magistrate Judge Thomas E Rogers, III on 2/11/08.(tsin,) (Entered: 02/12/2008)
02/12/2008	<u>66</u>	ENTRY 66 DELETED as to Jose Serrano: duplicate filing (amil,) (Entered: 02/12/2008)
02/13/2008	<u>67</u>	MOTION to Substitute Attorney by Jose Serrano. Proposed Order sent to Judge Chambers email address? yes. (Rogers, James) (Entered: 02/13/2008)
02/13/2008	<u>68</u>	(Court only) MOTIONS as to Jose Serrano REFERRED to Magistrate Judge: <u>67</u> MOTION to Substitute Attorney Motions referred to Thomas E Rogers, III.(amil,) (Entered: 02/13/2008)
02/21/2008	<u>69</u>	NOTICE OF HEARING as to John Williamson, Jose Serrano Pretrial Conference set for 2/27/2008 10:30 AM in Florence #1, McMillan Federal Bldg, 401 W. Evans St., Florence before Magistrate Judge Thomas E Rogers

		III. Guilty Pleas will be held 3/3/2008 in Florence #1, McMillan Federal Bldg, 401 W. Evans St., Florence before Honorable Terry L. Wooten. Jury Selection scheduled for 3/5/2008 10:00 AM in Florence #1, McMillan Federal Bldg, 401 W. Evans St., Florence before Honorable Terry L. Wooten.(amil,) (Entered: 02/21/2008)
02/27/2008	<u>71</u>	Minute Entry for proceedings held before Magistrate Judge Thomas E Rogers, III: Pretrial Conference as to Jose Serrano held on 2/27/2008: sealed ex parte sidebar; Court determines there is a conflict and relieves James Rogers as counsel of record and appoint Tam McBratney as new CJA counsel; Court continues case; Court Reporter Ray Simmons.JTM cja time:.1' (amil,) (Entered: 02/28/2008)
03/03/2008	<u>72</u>	MOTION for Discovery <i>Pursuant to the United States Sentencing Commission Guidelines</i> by Jose Serrano. (McBratney, James) (Entered: 03/03/2008)
03/03/2008	<u>73</u>	MOTION for Disclosure of <i>Intent to Use Evidence of Other Crimes, Wrongs, or Acts Under Federal Rule of Evidence Under Rule 404(b)</i> by Jose Serrano. (McBratney, James) (Entered: 03/03/2008)
03/03/2008	<u>74</u>	MOTION for Disclosure of <i>Intention to Use Evidence</i> by Jose Serrano. (McBratney, James) (Entered: 03/03/2008)
03/03/2008	<u>75</u>	MOTION for Discovery and <i>Inspection</i> by Jose Serrano. (McBratney, James) (Entered: 03/03/2008)
03/03/2008	<u>76</u>	MOTION for Release of <i>Brady Materials and Other Favorable Material and Incorporated Memorandum of Law</i> by Jose Serrano. (McBratney, James) (Entered: 03/03/2008)
03/04/2008	<u>78</u>	ORDER TO CONTINUE - Ends of Justice as to Jose Serrano Time excluded from 3/5/08 until 4/2/08. Signed by Magistrate Judge Thomas E Rogers, III on 2/27/08.(swel,) (Entered: 03/04/2008)
03/07/2008	<u>79</u>	CJA 20 as to Jose Serrano: Appointment of Attorney James Thomas McBratney, Jr for Jose Serrano. Substituted for Federal Defender. Signed by Magistrate Judge Thomas E Rogers, III on 2/29/08.(tsin,) (Entered: 03/07/2008)
03/07/2008	<u>80</u>	(Court only) Attorney update in case as to Jose Serrano. Attorney James P Rogers terminated. (tsin,) (Entered: 03/07/2008)
03/20/2008	<u>81</u>	NOTICE OF HEARING as to John Williamson, Jose Serrano Pretrial Conference set for 3/27/2008 10:30 AM in Florence #1, McMillan Federal Bldg, 401 W. Evans St., Florence before Magistrate Judge Thomas E Rogers III. Change of Pleas set for 3/31/2008 in Florence #1, McMillan Federal Bldg, 401 W. Evans St., Florence before Honorable Terry L. Wooten. Jury Selection set for 4/2/2008 10:00 AM in Florence #1, McMillan Federal Bldg, 401 W. Evans St., Florence before Honorable Terry L. Wooten.(amil,) (Entered: 03/20/2008)

03/27/2008	<u>83</u>	Minute Entry for proceedings held before Magistrate Judge Thomas E Rogers, III: Pretrial Conference as to Jose Serrano held on 3/27/2008: newly appointed CJA counsel; defendant requests continuance and waives speedy trial. Court Reporter Ray Simmons.CJA Time.7'. (amil,) (Entered: 03/28/2008)
04/01/2008	<u>84</u>	ORDER TO CONTINUE - Ends of Justice as to Jose Serrano Time excluded from 4/2/2008 until 5/7/2008. Signed by Magistrate Judge Thomas E Rogers, III on 3/27/2008.(swel,) (Entered: 04/01/2008)
04/23/2008	<u>87</u>	(Court only) ***Motions terminated as to John Williamson, Jose Serrano: 59 MOTION to Continue, <u>67</u> MOTION to Substitute Attorney. (amil,) (Entered: 04/23/2008)
04/23/2008	<u>88</u>	NOTICE OF HEARING as to John Williamson, Jose Serrano Pretrial Conference set for 4/30/2008 10:30 AM in Florence #1, McMillan Federal Bldg, 401 W. Evans St., Florence before Magistrate Judge Thomas E Rogers III. Change of Pleas set for 5/5/2008 in Florence #1, McMillan Federal Bldg, 401 W. Evans St., Florence before Honorable Terry L. Wooten. Jury Selection set for 5/7/2008 10:00 AM in Florence #1, McMillan Federal Bldg, 401 W. Evans St., Florence before Honorable Terry L. Wooten.(amil,) (Entered: 04/23/2008)
04/25/2008	<u>89</u>	INFORMATION TO ESTABLISH PRIOR CONVICTION as to Jose Serrano (Parham, A) (Entered: 04/25/2008)
04/30/2008	<u>92</u>	Minute Entry for proceedings held before Magistrate Judge Thomas E Rogers, III: Pretrial Conference as to Jose Serrano held on 4/30/2008. Defendant present in custody with counsel Tam McBratney requesting continuance. Court executes continuance order. Rose Mary Parham present for USA. Court Reporter Vince Rolland.CJA Time 40 minutes. (tsin,) (Entered: 04/30/2008)
04/30/2008	<u>93</u>	ORDER TO CONTINUE - Ends of Justice as to Jose Serrano Time excluded from 5/7/08 until 6/4/08. Signed by Magistrate Judge Thomas E Rogers, III on 4/30/08.(tsin,) (Entered: 05/01/2008)
05/13/2008	<u>98</u>	NOTICE OF HEARING as to Jose Serrano Pretrial Conference set for 5/22/2008 10:30 AM in Florence #1, McMillan Federal Bldg, 401 W. Evans St., Florence before Magistrate Judge Thomas E Rogers III. Change of Pleas set for 6/2/2008 in Florence #1, McMillan Federal Bldg, 401 W. Evans St., Florence before Honorable Terry L. Wooten. Jury Selection set for 6/4/2008 10:00 AM in Florence #1, McMillan Federal Bldg, 401 W. Evans St., Florence before Honorable Terry L. Wooten.(amil,) (Entered: 05/13/2008)
05/22/2008	<u>99</u>	Minute Entry for proceedings held before Magistrate Judge Thomas E Rogers, III: Pretrial Conference as to Jose Serrano held on 5/22/2008: plea negotiations; defendant requests continuance - continued to July term. Court Reporter Raymond D. Simmons.CJA Time.6'. (amil,) (Entered: 05/23/2008)

06/02/2008	 100	ORDER TO CONTINUE - Ends of Justice as to Jose Serrano Time excluded from 6/4/2008 until 7/9/2008. Signed by Magistrate Judge Thomas E Rogers, III on 5/22/08.(swel,) (Entered: 06/02/2008)
06/20/2008	 102	NOTICE OF HEARING as to Jose Serrano Pretrial Conference set for 6/30/2008 10:00 AM in Florence #1, McMillan Federal Bldg, 401 W. Evans St., Florence before Magistrate Judge Thomas E Rogers III. Guilty Pleas set for 7/7/2008 in Florence #1, McMillan Federal Bldg, 401 W. Evans St., Florence before Honorable Terry L. Wooten. Jury Selection set for 7/9/2008 set for 10:00 AM in Florence #1, McMillan Federal Bldg, 401 W. Evans St., Florence before Honorable Terry L. Wooten.(amil,) (Entered: 06/20/2008)
06/27/2008	 103	NOTICE OF CANCELLATION OF HEARING: Pretrial Conference set for 6/30/2008 as to Jose Serrano (amil,) (Entered: 06/27/2008)
06/27/2008	 104	ORDER TO CONTINUE - Ends of Justice as to Jose Serrano Time excluded from 7/9/2008 until 8/6/2008.. Signed by Honorable Thomas E. Rogers III on 6/27/2008.(amil,) Modified on 6/27/2008 (amil,). (Entered: 06/27/2008)
07/02/2008	 105	CONSENT TO TRANSFER JURISDICTION (Rule 20) to District of Delaware Counts closed as to Jose Serrano (2) Count 1. (tsin,) (Entered: 07/02/2008)
07/18/2008	 106	***DOCUMENT MAILED as to Jose Serrano re <u>5</u> Redacted Indictment - Private Entry, <u>6</u> Penalty Sheet, <u>105</u> Rule 20 - Transfer Out placed in U.S. Mail to District of Delaware - Wilmington (tsin,) (Entered: 07/18/2008)
08/14/2008	 111	***DOCUMENT MAILED as to Jose Serrano re <u>6</u> Penalty Sheet, <u>105</u> Rule 20 - Transfer Out, <u>2</u> Indictment (Sealed) placed in U.S. Mail to District of Delaware - Wilmington - Copies certified (tsin,) (Entered: 08/14/2008)

IN THE DISTRICT COURT OF THE UNITED STATES
DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

UNITED STATES OF AMERICA

) CRIMINAL NO.: 4:07-1045

vs.

) 21 U.S.C. § 846

JOHN WILLIAMSON
JOSE SERRANO

) 21 U.S.C. § 841(a)(1)

) 21 U.S.C. § 841(b)(1)(A)

) 21 U.S.C. § 853

) 21 U.S.C. § 881(a)(11)

) 28 U.S.C. § 2461(a)

) **INDICTMENT**

)

RECEIVED

AUG 28 2007

COUNT 1

LARRY W. PROPEL, CLERK
FLORENCE, SC

THE GRAND JURY CHARGES:

That beginning at a time unknown to the Grand Jury, but beginning at least in or around 2001, and continuing thereafter up to and including the date of this Indictment, in the District of South Carolina and elsewhere, the Defendants, JOHN WILLIAMSON and JOSE SERRANO, knowingly and willfully did combine, conspire, confederate and agree together and have tacit understanding with each other and with various other persons, both known and unknown to the Grand Jury, to knowingly, intentionally, and unlawfully possess with intent to distribute and to distribute 5 kilograms or more of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A);

All in violation of Title 21, United States Code, Section 846.

A TRUE COPY

Attest: Larry W. Propes

By: Dick Angletary
DEPUTY CLERK

FORFEITURE

1. **DRUG-TRAFFICKING OFFENSES**

A. As a result of their violation of Title 21, United States Code, Sections 846 and 841 as charged in Count 1 of this Indictment, upon conviction, the Defendants, **JOHN WILLIAMSON** and **JOSE SERRANO**, shall forfeit to the United States all of the Defendants' right, title and interest in and to any property, real and personal,

- (1) constituting, or derived from any proceeds the Defendants obtained, directly or indirectly, as the result of such violation(s) of Title 21, United States Code, and all property traceable to such property;
- (2) used or intended to be used, in any manner or part, to commit or to facilitate the commission of such violations of Title 21, United States Code.
- (3) any firearms and ammunition (as defined in 18 U.S.C. § 921) used or intended to be used to facilitate the transportation, sale, receipt, possession or concealment of controlled substances or any proceeds traceable thereto.

B. Pursuant to Title 21, United States Code, Sections 853(a)(1), 853(a)(2) and 881(a)(11) and Title 28, United States Code, Section 2461(c), the property which is subject to forfeiture upon conviction of the Defendants for offenses charged in this Indictment includes, but is not limited to, the following property or proceeds thereof, as to which the Defendants are jointly and severally liable:

- (1) **Total Cash Proceeds:**

A sum of money equal to all property the Defendants obtained, directly or indirectly from, or used to facilitate, the Title 21 offenses charged in the Indictment, that is, approximately \$250,000 in United States currency and all interest and proceeds traceable thereto, in that such sum in the aggregate constitutes proceeds the Defendants obtained directly or indirectly as the result of such violations of Title 21, United States Code or were used to facilitate such violations;

2. SUBSTITUTION OF ASSETS:

If any of the property described above as being subject to forfeiture, as a result of any act or omission of the Defendants --

- A. cannot be located upon the exercise of due diligence;
- B. has been transferred or sold to, or deposited with, a third person;
- C. has been placed beyond the jurisdiction of the Court;
- D. has been substantially diminished in value; or
- E. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the said Defendants up to an amount equivalent to the value of the above-described forfeitable property;

Pursuant to Title 21, United States Code, Sections 853 and 881(a)(11), and Title 28, United States Code Section 2461(a).

A True BILL

/s/Grand Jury Foreperson
FOREPERSON

/s/Reginald I. Lloyd
REGINALD I. LLOYD (ABP)
UNITED STATES ATTORNEY

PENALTIES

COUNT 1:

IF TWO PRIOR FELONY DRUG CONVICTIONS:

MANDATORY TERM OF LIFE IMPRISONMENT
MAXIMUM FINE: \$8,000,000.00 (18 USC 3571),
SPECIAL ASSESSMENT: \$100.00 (18 USC 3013)

IF ONE PRIOR FELONY DRUG CONVICTION:

MAXIMUM IMPRISONMENT: LIFE
MINIMUM IMPRISONMENT: 20 YEARS
MAXIMUM FINE: \$8,000,000.00 (18 USC 3571),
SUPERVISED RELEASE: AT LEAST 10 YEARS
(18 USC 3583)
SPECIAL ASSESSMENT: \$100.00 (18 USC 3013)

IF NO PRIOR FELONY DRUG CONVICTION:

MAXIMUM IMPRISONMENT: LIFE
MINIMUM IMPRISONMENT: 10 YEARS
MAXIMUM FINE: \$4,000,000.00 (18 USC 3571),
SUPERVISED RELEASE: AT LEAST 5 YEARS
(18 USC 3583)
SPECIAL ASSESSMENT: \$100.00 (18 USC 3013)